

R E M A R K S

Attached hereto is a marked-up version of the changes made to the specification by the above amendment. The attached page is captioned **“Version with markings to show changes made.”**

As previously noted, the amendments to claim 15 does not alter the scope of the claims but merely recites the underlying characteristics of “fast breaking” and “rapid release” liposomes already present in the claims via claim 15 as originally presented. Additional support for the inclusion of “osmolarity of the liposomes” is provided at least on page 10, first full paragraph, and Examples 2 and 3.

The amendment to claim 27 corrects a grammatical error that was detected upon further review of the claim.

The amendments are made for reasons relating to business considerations and commercial embodiments of the invention rather than issues of patentability. No new matter has been added and entry of the amendment is respectfully requested.

Conclusion

In light of the above discussion, Applicants respectfully submit that the claims are allowable, and passage of the application to issue is urged. The Examiner is welcome to contact the undersigned to resolve any residual issues, such as the submission of a terminal disclaimer, or if further discussions may be thought useful.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

In the event that the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **273012008102**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: December 4, 2002

By: _____



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Version with markings to show changes made.

Kindly amend the claims as follows:

15. (twice amended) A liposomal formulation comprising liposomes that comprise a porphyrin macrocycle photosensitizer, phospholipids and one or more sugars, wherein the osmolarity of the liposomes is that of human blood and wherein said liposomes are fast breaking and rapidly release the photosensitizer into the bloodstream to associate with lipoproteins upon *in vivo* administration.

27. (amended) The liposomal formulation of claim 26 wherein the amount of sugar, relative to said amounts of photosensitizer, dimyristoyl phosphatidyl choline, and egg phosphatidyl glycerol in said liposomes on a per weight basis, is about 8.0 to 12.0 of sugar when said sugar is a disaccharide, or about half that amount if said sugar is a monosaccharide.